

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MIKE HARRIS and JEFF DUNSTAN,
individually and on behalf of a class of
similarly situated individuals

Plaintiff,

v.

COMSCORE, INC., a Delaware corporation

Defendant.

CASE NO. 1:11-cv-5807

Judge Holderman

Magistrate Judge Kim

COMSCORE’S MOTION TO FILE DOCUMENTS UNDER SEAL

Defendant comScore, Inc. (“comScore”), pursuant to Local Rules 5.8 and 26.2, respectfully moves the Court for an Order granting them leave to file certain documents under seal in conjunction with comScore’s Opposition to Plaintiff Jeff Dunstan’s Renewed Motion to Compel comScore, Inc. to Respond to Plaintiffs’ Written Discovery. In support of this Motion, comScore states as follows:

1. On November 6, 2013, concurrently with the filing of this Motion, comScore filed comScore’s Opposition to Plaintiff Jeff Dunstan’s Renewed Motion to Compel Comscore, Inc. to Respond to Plaintiffs’ Written Discovery (“Opposition”) and the Declaration of Robyn Bowland in support of the Opposition (“Bowland Declaration”)

2. Attached to the Bowland Declaration are the following documents that the Parties have marked with a Confidentiality Designation pursuant to the January 20, 2012 Protective Order entered by Magistrate Judge Kim in this case (“Protective Order”) (Dkt. No. 72). The Protective Order prohibits either Party from publicly disclosing documents marked as

“CONFIDENTIAL,” “CONFIDENTIAL—ATTORNEY’S EYES ONLY,” or “HIGHLY CONFIDENTIAL—SOURCE CODE.”

a. Exhibit B, a document Bates labeled CS0016810 and marked “CONFIDENTIAL” in accordance with the Protective Order.

3. Additionally, paragraph 2 of the Bowland Declaration references a document Bates labeled CS0096515 and marked “CONFIDENTIAL—ATTORNEY’S EYES ONLY” under the Protective Order.

4. Accordingly, pursuant to the Protective Order entered in this case, comScore seeks leave to file Exhibit B, in its entirety, under seal.

5. Additionally, comScore seeks leave to file portions of paragraph 2 of the Bowland Declaration under seal.

6. Finally, because the Opposition references the contents of Exhibit B and paragraph 2 of the Bowland Declaration, as well as Exhibits previously filed under seal by Plaintiffs in Plaintiff Jeff Dunstan’s Renewed Motion to Compel Comscore, Inc. to Respond to Plaintiffs’ Written Discovery (Dkt. No. 247), comScore seeks leave to file the Opposition partially under seal.

WHEREFORE, comScore respectfully moves the Court, pursuant to Local Rules 5.8 and 26.2 for an Order:

1. Granting comScore leave to file Exhibit B under seal;
2. Granting comScore leave to file the Bowland Declaration partially under seal; and

3. Granting comScore leave to file comScore's Opposition to Plaintiff Jeff Dunstan's Renewed Motion to Compel Comscore, Inc. to Respond to Plaintiffs' Written Discovery partially under seal.

DATED: Nov. 6, 2013

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/s/ Andrew H. Schapiro

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Attorneys for Defendant comScore, Inc.

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing has been caused to be served on November 6, 2013 to all counsel of record via email.

/s/ Robyn Bowland

Robyn Bowland